IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.2391 of 2006

M/s.K.T.Jadhav Applicant
Vs.
M/s.Rajesh L. Khanna & anr. Respondents

Mr.V.B.Tapkir for applicant.
Mr.P.A.Pol, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 26, 2007.

P.C.

. Heard Mr.Tapkir, the learned counsel for the applicant who had filed Complaint No.47 of 2001 under Section 138 of the Negotiable Instruments Act, 1881. By the order dated 26/4/2007 the complaint came to be dismissed under Section 256 of Cr.P.C. and the accused were acquitted.

. Mr.Tapkir has placed on record a copy of the Roznama in SCC No.47 of 2001 and from the same it is clear that prior to 26/4/2006, the complainant as well as his Advocate were absent on 21/11/2005, 16/1/2006, 10/2/2006, 27/2/2006 and 17/3/2006. The Roznama also states that for almost more than one year the complainant and the Advocate remained absent in the said case and the dates are 3/9/2004, 14/10/2004, 30/11/2004, 10/1/2005, 18/2/2005,

28/3/2005, 2/5/2005, 31/5/2005 and 29/6/2005 and entertaining such a case would be nothing short of granting premium on lethargy, casualness and negligent attitude on the part of the complainant who had filed a complaint under Section 138 of the Negotiable Instruments Act, 1881.

. Leave to appeal is refused and the application is rejected.

(B.H.MARL